

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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ALFRED OKA and FRANCIS OKA,

Plaintiffs,

-against-

ORDER
11-CV-2578 (SJF)

COUNTY OF SUFFOLK, SUFFOLK COUNTY
POLICE DEPARTMENT, SUFFOLK COUNTY
DISTRICT ATTORNEY, SUFFOLK COUNTY
POLICE OFFICER EDWARD RYBY, and SUFFOLK
COUNTY POLICE DETECTIVE FRIEDLANDER,

Defendants.

FILED
IN CLERK'S OFFICE
U S DISTRICT COURT E D N Y

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LONG ISLAND OFFICE

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FEUERSTEIN, District Judge.

Before the Court is Magistrate Judge Gary R. Brown's Report and Recommendation ("Report"), dated February 4, 2015, recommending that defendants' motion for summary judgment on plaintiff's complaint be granted. No objections to the Report have been filed. For the following reasons, the Court adopts Magistrate Judge Brown's Report in its entirety.

I

Any portion of a report and recommendation on dispositive matters, to which a timely objection is made, is reviewed *de novo*. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72. The court, however, is not required to review the factual findings or legal conclusions of the magistrate judge where no proper objections are interposed. *See Thomas v. Arn*, 474 U.S. 140, 150 (1985) ("It does not appear that Congress intended to require district court review of a magistrate's factual or legal conclusions, under a *de novo* or any other standard, when neither party objects to those findings."). Thus, to accept the report and recommendation of a magistrate judge on a dispositive matter to which no timely objection has been made, the district judge need only be

satisfied that there is no clear error on the face of the record. *See* Fed. R. Civ. P. 72(b); *Johnson v. Goord*, 487 F. Supp. 2d 377, 379 (S.D.N.Y. 2007); *Baptichon v. Nevada State Bank*, 304 F. Supp. 2d 451, 453 (E.D.N.Y. 2004). After conducting the appropriate review, a district court may accept, reject or modify any of the magistrate judge's findings or recommendations whether or not objections have been filed. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b).

II

Neither party has filed objections to Magistrate Judge Brown's Report and the time to file objections has passed. Upon review, the Court is satisfied that the Report is not facially erroneous and therefore, the Report is adopted in its entirety. Accordingly, defendants' motion for summary judgment is **GRANTED** and the Clerk of the Court shall close this case.

SO ORDERED.

Dated: March 2, 2015
Central Islip, New York

s/ Sandra J. Feuerstein

Sandra J. Feuerstein, U.S.D.J.